

State of South Dakota

SEVENTY-FIFTH SESSION
LEGISLATIVE ASSEMBLY, 2000

400D0351

SENATE BILL NO. 28

Introduced by: The Committee on Education at the request of the Department of Social Services

1 FOR AN ACT ENTITLED, An Act to provide payment of tuition costs to nonpublic education
2 programs for students in governmental custody and to eliminate certain payments to
3 educational programs operated by public school districts.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

5 Section 1. That § 13-28-39 be amended to read as follows:

6 13-28-39. The Department of Social Services shall pay nonpublic tuition costs and related
7 service costs for students in residential treatment centers or group care centers for minors who
8 are under the care and custody of the Department of Social Services, the ~~Unified Judicial System~~
9 Department of Corrections, or other entities approved by the secretary of the Department of
10 Social Services. For students with disabilities residing in a foster home, the Department of Social
11 Services shall pay for special education or special education and related services at either a public
12 or a private school. Students residing in foster homes must be in the care and custody of the
13 Department of Social Services, the ~~Unified Judicial System~~ Department of Corrections, or other
14 entities approved by the secretary of the Department of Social Services. The Department of
15 Social Services ~~will have rate setting authority~~ may set rates for tuition costs and related service
16 costs.

1 The secretary of the Department of Social Services may promulgate rules, pursuant to
2 chapter 1-26, pertaining to:

- 3 (1) The amount, scope, and duration of services;
- 4 (2) The basis for and extent of provider payments;
- 5 (3) The method and amount of payment;
- 6 (4) The methods of recoupment or recovery of overpayments;
- 7 (5) Administration, record keeping, and audit requirements;
- 8 (6) Compliance monitoring;
- 9 (7) Reporting requirement; and
- 10 (8) Such other standards and requirements as may be necessary to ensure the efficient
11 operation and administration of the program.